

### REMARKS

Claims 10-68 are pending. Applicants thankfully acknowledge the Examiner's indication that claims 50 and 51 are allowed and that claims 26, 31-33, 42-44, 48 and 49 would be allowable if rewritten in independent form including the base claim and any intervening claims. Accordingly, original claim 26 is rewritten as independent claim 69.

#### Claim Rejections – 35 U.S.C. § 102

Claims 25, 37-39, 41, 45, 47, 66 and 68 are rejected under 35 U.S.C. § 102(b) as being anticipated by Monachino (U.S. Patent 6,408,581). Applicant respectfully disagrees with this rejection as Applicant's effective filing date of October 25, 2001 precedes Monachino's effective date of June 25, 2002 as a patented invention under § 102(b). Accordingly, Applicant respectfully requests this rejection be withdrawn.

Applicant has amended independent claims 25 and 66 to recite, *inter alia*, that the crown sector overhangs the first passageway and that the crown sector has a surface that is exposed to the first passageway. Monachino, by contrast, merely fills recesses 56, 58 with a sealing material 68. See Fig. 11 and col. 8, lines 31-34. Because Monachino fails to disclose at least these limitations, Applicant requests reconsideration.

#### Claim Rejections – 35 U.S.C. § 103

Claims 25, 29, 66 and 67 are rejected under 35 U.S.C. § 102(a) as being unpatentable over Shall et al. (U.S. Patent 6,205,717) in view of Monachino, claims 27, 30, 34, 35 and 40 are rejected as being unpatentable over Shall et al. or Monachino in view of Olsen (U.S. Patent 4,639,345), claims 28 and 36 are rejected as being unpatentable over Shall et al. or Monachino in view of Mingolla et al. (U.S. Patent 4,271,555) and claim 46 is rejected as being unpatentable over Shall et al. in view of Monachino in further view of Davidson (U.S. Patent 2,372,187).

As acknowledged by the Examiner, Shall et al. fail to disclose the methods of independent claims 25 and 66 including casting in place the crown sector as claimed. To overcome the deficiencies of Shall et al., the Examiner relies on Monachino, which the Examiner asserts discloses a hybrid arched overfilled bridge system structure with two pathways and crown

sector between cast elements. However, Monachino, as well as any of the other cited references fail to disclose or fairly suggest, alone or in combination, either that the cast-in-place crown sector overhangs the first passageway or that the cast-in-place crown sector has a surface that is exposed to the first passageway, as claimed. Because none of the cited references either alone or in combination overcome the deficiencies of Shall et al., Applicant requests this rejection be withdrawn.

Applicant requests reconsideration of dependent claims 27-30, 34-41, 45-47, 67 and 68 in light of the above remarks and amendments.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Based upon the foregoing, issuance of a Notice of Allowance is requested. Please contact the undersigned attorney with any questions regarding this response.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Nieberding", is written over a horizontal line.

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